

2:23-cv-03452-JAK-MRW

TODD MICHAEL SCHULTZ
818 N. DOHENY DR. # 1108
WEST HOLLYWOOD, CA 90069
310-435-5847
TODDSCHULTZ86@GMAIL.COM

IN PRO PER

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

TODD MICHAEL SCHULTZ

v.

MICHAEL C. THOMPSON
GREGORY HOLMES
YOUTUBE L.L.C.

**MOTION FOR JUDICIAL
NOTICE**

To the Honorable Presiding Judge John A. Kronstadt of
the Superior Court of the State of California, Central District in
Los Angeles.

Pursuant to California Rules of Court Rule 3.400 (a),
Second District of California Local Rule 4, and Evidence Code
sections 452 (h), 453 (b) 454 (a) request this Court take judicial

Formatted: Right: 0.25"

Formatted: Position: Horizontal: Right, Relative to: Margin,
Vertical: 0", Relative to: Paragraph, Wrap Around

notice of video evidence wherein Mr. Thompson admits to intentional infliction of emotional distress and YouTube L.L.C.'s failure to apply good faith in moderation of taking down such harassing content. I reported a video that exhibits defendant's intentional infliction of emotional distress to YouTube L.L.C. and YouTube L.L.C. did not remove aforementioned video even though it violates their terms of service. This motion is based on these points and procedures and at my own discretion.

Respectfully submitted,

Todd Michael Schultz

Dated: June 12th, 2023

Formatted: Right: 0.25"

Formatted: Position: Horizontal: Right, Relative to: Margin,
Vertical: 0", Relative to: Paragraph, Wrap Around

MEMORANDUM OF POINTS AND AUTHORITIES

Evidence Code section 452 (Evid. Code § 452 subd (h)) permits “facts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy.” Intentional infliction of emotional distress is a tort that occurs when one acts in a manner that intentionally causes another to suffer emotional distress. Mr. Thompson, in the aforementioned video, currently upheld and publicly available on YouTube.com, owned and operated by YouTube L.L.C., after being reported by Mr. Schultz for bullying and harassment. Mr. Thompson admits, in the aforementioned video, to the intentional infliction of emotional distress. Furthermore, with the evidence currently available to the court, this particular video and transcript will allow the court to determine one of the most important factors in this case: Did Mr. Thompson commit intentional infliction of emotional distress?

The video’s transcript and the additional exhibit will allow the court to determine the issue of promissory estoppel, which would deny defendant YouTube immunity under Section 230 CDA on behalf of defendant YouTube L.L.C.

These details were not reflected in the second amended complaint and are currently infringing on my due process rights.

CONCLUSION

For the reasons set forth above, this Court must grant Plaintiff's request for relief and motion for judicial notice pursuant to California Rules of Court Rule 3.400 (a), Second District of California Local Rule 4 and Evidence Code § 452 (h), 453 (b) and 454 (a). This motion is based on these facts and statutes. I am filing this motion at my own discretion.

Dated: June 12th, 2023 Respectfully submitted,

Todd Michael Schultz

PROPOSED ORDER

Formatted: Right: 0.25"

Formatted: Position: Horizontal: Right, Relative to: Margin,
Vertical: 0", Relative to: Paragraph, Wrap Around

Plaintiff's motion asking that this Court take judicial notice of is hereby:

_____ GRANTED _____ DENIED

PRESIDING JUDGE

Formatted: Right: 0.25"

Formatted: Position: Horizontal: Right, Relative to: Margin,
Vertical: 0", Relative to: Paragraph, Wrap Around